

NOV 16 2005

FAX COVER SHEET

RE: OFFICIAL PAPER
TO: Examiner Joshua A. Kading
U.S. Patent and Trademark Office
GAU: 2661
PHONE: 571-272-3070
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FROM: Eugene J. Rosenthal
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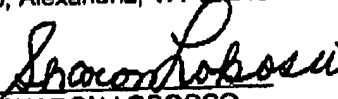
DATE: November 16, 2005
Pages (incl. Cover): 8

Re: AMENDMENT RESPONSE
Case No.: Rowe 1
Ser. No.: 09/660,027
File Date: September 12, 2000
Title: Cable Modem Termination System For Upstream
Frequency Band

Certification of Facsimile Transmission

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Date


SHARON LOBOSCO

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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

William J Rowe

CASE 1

Serial No. 09/660027 Group Art Unit 2661

Filed September 12, 2000

Examiner J. Kading

Title Cable Modem Termination System For Upstream Frequency Band

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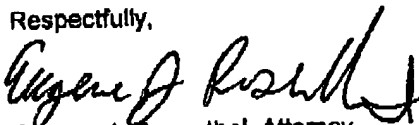
SIR:

Enclosed is an amendment in the above-identified application.

NO ADDITIONAL FEE REQUIRED

In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 12-2325 as required to correct the error.

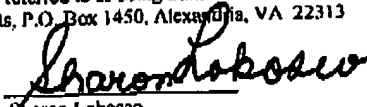
Respectfully,


Eugene J. Rosenthal, Attorney
Reg. No. 36658
732-949-1857.Date: 11/16/05Docket Administrator (Room 3J-219)
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Serial No. 09/660,027

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE****Patent Application**

Inventor(s): William J. Rowe
Case: 1
Serial No.: 09/660,027
Filed: September, 12, 2000
Examiner: J. A. Kuding
Title: Cable Modem Termination System For Upstream Frequency Band

Group Art Unit: 2661

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SIR:

RESPONSE

This communication is in response to the Office Action dated June 30, 2005.

Remarks

Claim 8 remains pending in the application.

Claim 8 was rejected under 35 U.S.C. 103 (a) over the combination of United States Patent No. 6,775,480 issued to Naegel et al. on August 10, 2004 and United States Patent No. 6,377,552 issued to Moran III et al. on April 23, 2002. The Office Action states that Naegel et al. teaches all the elements of claim 8, except for reducing the prescribed period of time. However, the Office Action further states that Moran III et al. teaches this step.

Applicant respectfully disagrees and traverses this ground of rejection for the following reasons.

Notwithstanding the Office Action's suggestion to the contrary, Moran III et al. does not teach reducing the prescribed period of time. While it is true that there is a teaching in Moran III et al. to reduce a period of time, this period of time taught Moran III et al. in is not applicant's prescribed period of time, nor is it related to applicant's prescribed period of time in any way.

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